CLASSIFICATION OFFICE DECISION

Title of publication: What a victory for he who got shahada

Other known title(s): Not stated

OFLC ref: 1800412.001

Medium: Video File

Director: Not stated

Country of origin: Not stated

Language: Arabic, English

Applicant: Commissioner of Police

Classification: Objectionable.

Excisions: No excisions recommended

Descriptive note: None

Display conditions: None

Date of entry in Register: 09 April 2019

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 09 April 2019

	Components	Running time
Timed component(s):	What a victory for he who got shahada	4:57
Total running time:		4:57

Summary of reasons for decision:

The video file promotes and encourages acts of violence and terrorism to a high extent and degree, and in a manner that renders its availability injurious to the public good. The video comprises the lyrics of an Arabic nasheed (song) with English subtitles, which refer to violent warfare, juxtaposed with branding for the ISIL terrorist organisation. It encourages the violent killing of 'unbelievers' and glorify acts of terrorism with the promise of noble martyrdom and reward. It is important to note that it is the combination of lyrics and imagery that renders this video objectionable. Most New Zealanders would not be familiar with any historical significance and would likely take the English-subtitled lyrics and ISIL promotional imagery at face value. There is a real risk that exposure to this video would contribute to extremist ideation by susceptible persons, radicalize recruits and persuade

potential converts toward ISIL's cause. This poses risk to the safety of New Zealand society. The right to freedom of expression, as affirmed by the New Zealand Bill of Rights Act 1990, has been considered. Political and religious speech are arguably the most protected forms of expression in a democratic society. The role of the Classification Office is to determine whether the likelihood of injury to the public good arising from the availability of a publication outweighs the right to freedom of expression and therefore constitutes a reasonable limitation of this right. In this case, the likelihood of injury to the public good is high, and the classification of objectionable is a reasonable and demonstrably justifiable limitation on the right to freedom of expression.